

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 20-60610-CIV-SMITH

JAMES BERNARD FLYNN,

Petitioner,

vs.

WILLIAM P. BARR, United States
Attorney General, MICHAEL R.
POMPEO, Secretary of State,

Respondents.

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ORDER

THIS CAUSE is before the Court on the Petitioner's Motion for Reasonable Bond Pending Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (ECF No. 11), which was referred to United States Magistrate Judge Lurana S. Snow. The Motion is fully briefed and ripe for consideration.

The Petition filed by the Petitioner challenges his confinement pursuant to the certification of extraditability to the United Kingdom issued by United States Magistrate Judge Alicia O. Valle. In the instant Motion, the Petitioner asks this Court to set bond, arguing that he is not a risk of flight and that special circumstances, in the form of the current COVID-19 pandemic, exist which justify his release. The Motion is devoid of merit for the reasons set forth in the Government's thorough and well reasoned Response (ECF No. 13), which the undersigned adopts and incorporates by reference in this Order.

The undersigned emphasizes the following points made in the Response: (1) the Petitioner is not eligible for release pursuant to the extradition statute, 18 U.S.C. § 3184, (2) even

if the Petitioner were eligible for bail, his past history clearly demonstrates his propensity to flee (the Petitioner fled to the United Kingdom to avoid a sentence in Broward County, then fled back to the United States mid-trial to avoid conviction and sentence in the United Kingdom) and (3) the Petitioner has shown no special vulnerability to the Corona virus while in custody at the Broward County Jail. Indeed, the Petitioner's reasoning would compel release of all inmates at the jail because there is a health crisis throughout the entire community. Therefore, being duly advised, it is hereby

ORDERED and ADJUDGED that Petitioner's Motion for Reasonable Bond Pending Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (ECF No. 11) is DENIED.

DONE and ORDERED at Fort Lauderdale, Florida this 29th day of April 2020.


LURANA S. SNOW
UNITED STATES MAGISTRATE JUDGE

Copies to:

All Counsel of Record